

From: John Biederstedt
To: Microsoft ATR
Date: 1/23/02 1:07pm
Subject: Microsoft Settlement

Under the provision of the Tunney Act I would like this communication to be considered to be a complaint against the proposed settlement.

The proposed settlement relies on definitions which deviate from the court's finding of fact in respect to operating systems, middleware, application programming interfaces, and software. The settlement's definitions are narrow enough to allow Microsoft to utilize restrictive licensing and concealment of APIs to protect and extend its current monopoly in some cases by simply changing the versioning format of a middleware software product. Clearly, the proposed settlement will not significantly prevent Microsoft from continuing its harmful monopolistic behaviour.

The proposed settlement also does not even try to address problem of undisclosed file formats which earlier courts found to be one of Microsoft's tactics to protect its monopoly.

I do not believe the proposed settlement will remedy or improve Microsoft's monopolist practices.

As a further comment, I find it disheartening that a corporation can so selectively choose its final legal remedies after violating US law.